

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|---------------------------|---|-------------------------|
| Applicant: | Herb M. Poplawski, et al. |) | |
| | |) | |
| Serial No.: | unassigned |) | Examiner: unassigned |
| | |) | |
| Filed: | Concurrent Herewith |) | Group Art Unit: 3745 |
| | |) | |
| Title: | Hydrostatic Transmission |) | Docket No.: 36400.21US3 |
| | Bypass Latch |) | |

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b)(1))

BOX DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, pursuant to 37 C.F.R. §1.56, the items of information listed on the enclosed Form PTO/SB/08A are brought to the attention of the Examiner.

This statement should be considered because it is submitted, pursuant to 37 C.F.R. §1.97(b)(3), before the mailing of an Office Action; therefore, no fee is required.

In accordance with 37 C.F.R. §1.98(d), copies of U.S. patents and foreign patents and other art listed on the enclosed forms PTO/SB/08A and PTO/SB/08B which were previously cited by or submitted to the Office with the previously filed applications, of which the current application is a continuation, are not enclosed. The previously filed application upon which the current application relies for an earlier filing date under 35 U.S. C. §120 is:

This application is a continuation of U.S. Serial No. 10/082,570, filed February 25, 2002, which is a division of U.S. Serial No. 09/637,304, filed August 11, 2000


(USPN 6,374,604), for which the current application relies upon for an earlier filing date under 35 U.S.C. §120.

In accordance with 37 C.F.R. §1.104, no representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§102 and 103 and Applicant reserves the right, pursuant to 37 C.F.R. §1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicant does not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of MPEP 609, it is requested that the Examiner return a copy of the attached Form PTO/SB/08A, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

Date: Sept. 8, 2003

By: 
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

1

Complete if Known

Application Number

Filing Date

First Named Inventor

Herb M. Poplawski

Art Unit

Examiner Name

Not Yet Assigned

Attorney Docket Number

36400.21US3

U. S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| | | US- 3,369,363 | 9-1967 | Quayle | |
| | | US- 3,360,933 | 1-1968 | Swanson et al. | |
| | | US- 3,517,790 | 6-1970 | Damon | |
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| | | US- 5,094,077 | 3-1992 | Okada | |
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| | | US- 5,957,229 | 9-1999 | Ishii | |
| | | US- 6,145,312 | 11-2000 | Hauser et al. | |
| | | US- | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---|--------------------------------|--|---|----------------|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
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Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.